Attorney Docket Number: FSP0028
Client Reference Number: AWS 691.US
Title: AUTOMATIC DEVICE CONFIGURATION TO RECEIVE NETWORK SERVICES
Application Number: 10/662,752

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REMARKS

In an office action mailed on 07/01/2005, claims 1-18 are rejected under 35 USC 102(e) as anticipated by Vuoristo, US 6,603,969 B1.

Claims 4-6, 8, 16 Re: Vuoristo

Claim 4 is directed to a terminal providing device information to a SIM (subscriber information module), receiving from the SIM a communication that includes the device information, and transmitting the communication to a network.

"Device information" is information about the device's capabilities to receive, process, and display information. Examples of device information are provided at the specification of the present application, Par. 25.

In Vuoristo, the information provided by the terminal device to the network in support of a changed service profile does not involve device information as defined in the present application. See Vuoristo Fig. 2, col. 3.

Claim 4 involves the terminal device providing device information to the SIM, and the SIM to processing the device information into a message to the network.

Vuoristo does not teach or suggest any such role for the SIM. Vuoristo teaches that the terminal device (e.g. mobile unit) selects a new service profile according to certain events or conditions, and notifies the network of the new service profile. The SIM in Vuoristo plays a passive storage role and is not involved in processing device information into network communications.

"It is possible in the other embodiments to store a location area for a service profile in the memory of the mobile station, preferably in memory M2 of the SIM card. The location area can be based either on cell information or on geographical co-ordinates. Then the mobile station control unit CP is arranged to detect the

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arrival at the location area and to trigger the service profile change. Similarly a
schedule can also be stored in the mobile station memory, preferably in the SIM
card memory M2, in which schedule the points of time are determined and for
each point of time is defined a service profile which is switched to use at the
beginning of the point of time. At this time the mobile station control unit
comprises a time counter TC by which the points of time are detected and the
control unit CP triggers the profile change. If the mobile station does not attend to
the update messages, the control unit CP sends a message indicating the profile
change as a result of the profile change to the network unit attending to the update
messages."

(See Vuoristo, Col. 11, lines 33-67)

The present claims and Vuoristo contemplate different situations. The present
claims contemplate a SIM device moved among multiple terminal devices. Services
available to the terminal device are selected at least in part according to the capabilities of
the terminal device for which the SIM is activated. Services may also be selected at least
in part according to the terminal device's location, and/or according to user information.
In any case, the SIM receives the information and formulates a message to the network.

Vuoristo contemplates that a particular terminal device may select different
service profiles according to various conditions, such as location and times of day.
Vuoristo does not teach involving the SIM in forming a message to the network that
includes the device information. Vuoristo contemplates the SIM as a passive storage
media for certain information but does not contemplate the SIM formulating network
communications including device information. Such a need does not arise in Vuoristo
because Vuoristo is not directed to situations where device settings may be altered to
accommodate services available when the SIM is moved from one terminal device to
another.

Claims 5, 8, and 16 involve the terminal device providing location
information to the SIM and receiving from the SIM a communication comprising the

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location information. Vuoristo contemplates the terminal device applying location information to selection of a service profile, but, again, does not teach or contemplate the role of the SIM in formulating a message to the network that includes the location information.

Claims 9 and 18 involve the SIM formulating a communication comprising user information. Again, no such role for the SIM is contemplated by Vuoristo.

Claims 7, 10, 14, 15 Re: Vuoristo

Claims 7, 14, and 19 involve a SIM responding to activation of the SIM in a terminal device by receiving device information from the terminal device, and, if the terminal device is different than the terminal device used with the previous activation of the SIM, formulating a communication comprising the device information.

Again, Vuoristo is directed to something else entirely. Vuoristo does not contemplate such a role for the SIM, because Vuoristo is not directed to situations of updating device settings when a SIM is activated in a device different from a previous device in which the SIM was activated. Instead, Vuoristo is directed to dynamically updating service profiles for a particular terminal device as circumstances such as location and time of day change.

Claims 10 and 15 involve the SIM formulating an SMS, EMS, or MMS communication comprising the device information, and causing the SMS, EMS, or MMS communication to be transmitted to a network. Vuoristo does teach that the terminal device and/or network may communicate using SMS (e.g. col. 5, lines 48-58) but does not contemplate use of the SIM to formulate and cause communication of such messages, or use of such messages that include device information.

Claims 11, 13, 17 Re: Vuoristo

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Claim 11 involves one or more network elements that locate subscriber data in response to a communication from a terminal device that includes device capabilities to receive and render services. The network elements identify subscriber services compatible with the device capabilities, determine terminal device settings compatible with the identified services, and communicate the device settings to the terminal device.

Vuoristo does not teach network elements having such capabilities. Such capabilities are not contemplated by Vuoristo at least because Vuoristo teaches changes to service profiles of a single terminal device, and therefore does not contemplate changes in device capabilities as the SIM for the subscriber is activated in different devices.

Claims 13 and 17 involve network elements communicating configuration software to the terminal device to put into effect the device settings. Vuoristo provides no teaching of communicating configuration software to the terminal device.

Claims 20-22 Re: Vuoristo

Claims 20-22 are directed to an overall process involving both the terminal device and network, where a SIM is moved among terminal devices and updated terminal device settings in support of subscriber services are determined and put into effect. These claims are distinct and patentable over Vuoristo for at least the reasons provided above in support of other claims.

Conclusion

Vuoristo does not teach or suggest aspects of the present claims. Vuoristo is directed to different situations than the present claims. For at least the reasons provided above, allowance of the claims is hereby requested.

Respectfully submitted,

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